

## **REMARKS**

The Applicant has filed the present Response in reply to the outstanding Official Action of August 22 2004, and the Applicant believes the Response to be fully responsive to the Official Action for reasons set forth below in greater detail.

At the onset, Applicant would like to note that Claims 3-6 have been amended herewith. Specifically, Claims 3 and 5 have been amended incorporating the subject matter of Claim 1 into the claim. Claim 4 has been amended incorporating the subject matter of Claim 2. Claims 1 and 2 have been cancelled. In addition, Claims 11-16 have been amended. Claims 11 and 13 have been amended incorporating the subject matter of Claim 9 into the claim. Claim 12 has been amended incorporating the subject matter of Claim 10. Claims 9 and 10 have been cancelled. Claim 14 has been amended to depend from Claim 11 instead of cancelled Claim 9. Claims 15 and 16 have been amended recite, “[t]he method for generating a telephone directory with picture data”. No new matter has been added by the amendments. Claims 17-18 have been cancelled. The claims have been cancelled without any prejudice to them being reintroduced in this or any later filed related application.

Additionally, Claims 19-30 have been added to the application for examination. The new claims are supported by the specification. Applicant invites the Examiner to look at pages 6-7 of the disclosure for support for the new claims.

Applicant submits that the claims as amended along with the new claims are patentably distinct from the cited references for at least the following reasons.

Specifically, with respect to Claims 3-4 and 11-12, the prior art references fail to teach or suggest, “said telephone number being recorded in a comment segment of a JPEG file”, as recited in the claims.

In Kimura et al. (U.S. Patent No. 5,778,054) (hereinafter “Kimura”), Figure 5 is a format for storage access information and video information. Access information such as name, email address and telephone number and image number are all stored as one file in memory. The image is stored as a separate file. The image number appears to be a pointer referring to the JPEG image file. The access information does not appear to be located within the comment section of the JPEG file, in stark contrast; it appears to be completely separate access information file. Accordingly, Kimura cannot teach having the telephone number recorded in a comment segment of the JPEG file.

None of the other cited reference removes this deficiency. Therefore, Claims 3-4 and 11-12 are patentably distinct from the cited references whether taken alone or in any combination thereof.

With regards to Claims 5 and 13, the references fail to teach or suggest, a “selecting means for selecting said one or more frames to be encoded by said encoding means, *in response to an operation by a user*”, as specifically recited by the claims.

***(Emphasis added)***

Uchimi et al (U.S. Patent No. 6,078,721) (hereinafter “Uchimi”) states that the selection of frames to encode is performed by the control portion 34c for generation of specially reproducible video generating portion 34 in response to the communication control portion 37. See col 7, line 8-15. See also col 6, lines 48-52 ( “Like the first storage portion 32, the second storage portion 33 has storing media for storing therein

coded video data generated by the specially reproducible video generating portion 34 *according to an instruction to be given by the communication control portion 37.”*).

However, the communication control portion 37 does not appear to have a user interface. Therefore, Uchimi does not suggest selecting one or more frames to be encoded in response to an operation by a user. There is no operation by a user in Uchimi.

None of the other cited reference removes this deficiency. Therefore, Claims 5 and 13 are patentably distinct from the cited references whether taken alone or in any combination thereof

New Claims 19-30 are at least patentably distinct from the cited references based upon their dependency, whether directly or indirectly from Claims 4, 5, 12, and 13.

In addition Claims 19 and 22 are patentable for at least the following additional reason. None of the cited prior art references teach a second decoding means and second displaying means as recited in the claims.

Furthermore, none of the cited prior art references teach or suggest “wherein said display means displays the decoded still picture when terminating a call from said communication party”, as specifically recited in Claims 21, 24, 27 and 30.

In conclusion, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call

the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Seth Weinfeld", written over the printed name.

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